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DEPARTMENT OF STATE 3502/MR

REVIEWED BY *Joe H*

DATE *3/2/81*

February 21, 1947

TS AUTH. _____ RIA ON(S) _____

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MEMORANDUM FOR THE FILE

Subject: JICA

At the meeting this afternoon in the office of Col. Ford in the new War Department Building there were present Col. Ford, Captain Wev, and a group of Army officers whom I had never met before, plus Captain Duborg and a Navy Commander whom I did not know. It appeared that one of them was a successor to Col. Hagood on the JICA Governing Committee. He was accompanied by his superior, Col. St. Clair. It soon appeared that the sole purpose of the meeting was to obtain a commitment from the State Department by which the War Department would justify its bringing in of a list of Commerce nominees who were actually not wanted for the national security but for civilian exploitation. A man named Dean Rusk, apparently an assistant to Assistant Secretary of War Petersen, had raised the question whether the Navy and State Departments knew and had agreed that the War Department should bring these persons in under the Paperclip program. I promptly stated that I had had no knowledge of these persons, that no names had been submitted to the State Department for certification. Col. Ford then demanded that I agree to a certification of a list of names on his desk which I did not see. I told him that of course I could do no such thing and that certification presupposed that the Department should have an opportunity to pass judgment of some kind before affixing its signature. It soon developed that Col. Ford considered that the State Department could not participate in the operations of the agency, but only in "policy". I said that in that case the War Department should go to SWNCC for a clarification of the directive since JICA had no authority to pass on policy matters but only on operations. I then pointed out that we had asked Col. Ford and the War Department for the names of the persons being brought in and that that had been refused us on various grounds. Col. Ford then admitted that he did not wish to give us the names but in the course of the conversation said that the information was classified and that we were not entitled to see it; that he did not have the information, but it was in the hands of the War Department; and that he would let me see the files in his back room if I went in immediately. I pointed out the inconsistency of this position and said that if it was true that the Governing Committee could not have the information or participate in the certification of the names, there was no point to the whole discussion. I also pointed out that our interpretation was that we must participate in the certification of the names since the charter so stated and that there had been no delegation of authority to the Director to act without the consent in this regard of the Governing Committee.

Thereupon Captain Duborg moved that such a delegation be made at once. The Army representative refused to concur unless it were understood

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that the record would show the consents or disapprovals of the constituent agencies. I said that this was a matter of substance going into the whole theory of the interdepartmental representation in JIOA and that if we were to be excluded from knowledge then we would be in a position of representing to the public responsibility for this activity without having an opportunity to find out what was going on. Col. Ford announced that the action was carried by a majority and that the minority was therefore overruled. I pointed out that this was not the procedure in JIOA before he came and could not be; and that the appropriate procedure was to send the paper up with the majority and minority views to JIC and then to JIS. On the question of the Commerce scientists themselves I emphasized especially when Col. Ford asserted that the State Department was not responsible for letting the scientists in, that on the contrary, General Willdring and the Department were in favor of expediting the whole program and that the only question here was whether the War Department was directing its inquiry to the right organization. It was finally agreed at this point that the JIOA would submit to me this list for certification and that I would convey a reply as soon as possible.

In the course of the debate Col. Ford stated in various ways that if I did not accept the paper on behalf of the State Department he would give the information to several senators who would take care of the Department; that I wanted the information about those coming in out of curiosity and to snipe at the program. At the same time he said that he would make the information available insofar as they were available in his files, with the inconsistent statements quoted above. Ultimately he said that he would send me all future lists of persons coming in. I said that I also would like to have the lists of persons rejected and sent back to Germany. It appeared for a while that the War Department misunderstood the purpose of the statement since the SWNCC document calls for submission of files to the FBI "through JIOA". I said that I did not want the files sent to the State Department in the same way as they were sent to the FBI, but that the State Department as a participant in JIOA wanted to know what JIOA knew with respect to the progress of this program.

After the meeting I discussed the whole subject with Col. Booth and we agreed that I would draw up a paper of some kind which would raise the policy issue and on which Col. Eddy could decide whether we should stay in at all. He said that he had discussed the matter with Col. Eddy and that Col. Eddy saw the situation in the same light that I did. I then discussed it with O'Sullivan on the telephone and O'Sullivan agreed that this was a matter of serious implications and that we would take the matter up further. I discussed it also with Col. Robinson who took the view with respect to this and with respect to the immigration program that the Department would have to stand firm where it took responsibility.

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